REMARKS

As a preliminary matter, the pending claims are objected to based on the reasons set forth at the top of page 2 of the Office Action. Applicant amend claim 1, as indicated herein, and Applicants believe that the claim objections are obviated.

Claims 1, 3-7, and 11-21 are all the claims pending in the present application. Claims 1, 3-7, and 11-21 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Examiner maintains the same rejections under 35 U.S.C. § 112, second paragraph, as set forth in previous Office Actions and adds new arguments in the present Office Action. In the present Office Action, the Examiner alleges:

> In claim 1, lines 13-14, the recitation of "the vibration is micro-vibrations having a higher frequency than a response frequency of change in a behavior of a vehicle" is indefinite because it is unclear what constitutes the "response frequency." Though this term is mentioned in the specification, it has not been defined. Since the "response frequency" is undefined, one cannot know what frequency would be "higher" than the response frequency. Therefore, it is impossible to determine the frequency level defined by the claim.

In response, Applicants maintain some of the numerous previously submitted arguments that demonstrate that "response frequency" is definite. At least based on the previously presented arguments, Applicants maintain that the term "response frequency" is definite, and that the pending claims do particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The issue here is that the Examiner does not understand what is meant by "response frequency," as set forth in the claims, however one of ordinary skill in the art would understand that "response frequency" of change in a behavior of a vehicle is definite, especially in relation to the frequency of micro-vibrations that are applied to support vehicle control. Further, this term is clearly definite such that one of ordinary skill in the art could determine what frequency would be "higher" than the response frequency.

Additionally, in the present Office Action, the Examiner alleges:

> The Declaration filed under 37 C.F.R. § 1.132 filed December 14, 2006 has been considered but deemed not persuasive in overcoming the rejection. First of all, expert opinion that a disclosure meets 35 U.S.C. § 112 is not be given weight in a 37 C.F.R. § 1.132 Declaration (see MPEP § 716.01(c)).

In response, Applicants point out that § 716.01(c) states that facts supporting a basis for deciding that the specification complies with 35 U.S.C. § 112 are entitled to some weight. Here, the previously submitted Declaration demonstrates the knowledge of one of ordinary skill in the art with respect to the definiteness of "response frequency" in relationship to the frequency of the micro-vibration. The Declaration states what the response frequency is, and provides factual evidence from the specification as to why one of ordinary skill in the art would understand what is meant by the term "response frequency." Yet further, since the Examiner alleges that the pages from the reference book, "Tires, Suspension and Handling," were not provided, Applicants provide herewith said reference pages, which also serve as factual evidence that one of ordinary skill in the art would understand the definiteness of "response frequency."

Yet further, as given in the first paragraph in page 2 of the DECLARATION, "the response frequency of change in frequency of the vehicle" is "the frequency that the vehicle body can follow up the motion when control is established by means of a hydraulic or pneumatic such as ABS control or driving and control." The response frequency falls within a frequency band lower than that of the inherent resonance frequency of the sprung portion (vehicle body) of the suspension unit.

In lines 7-13, page 3 of the Office Action, the Examiner asserts that "throughout the declaration, the Applicant still fails to state exactly what response frequency is where the declaration states the frequency occurs when control is established by means "such as" ABS or driving or braking where frequency may be the result of turning, applying brakes, driving the

vehicle, controlling the ABS and brake the system, or even controlling the engine or the torque "for example".

However, the DECLARATION states that "the response frequency is the one at which the vehicle body can follow up the frequency under control (in other words, can be responsive to the control)" and thus the DECLARATION never states that "the response frequency is the one which occurs when the control is established". Namely, the response frequency is the one exhibiting almost no delay with respect to the control, in other words, the frequency to be followed up by the vehicle body (0.1 ~ 2 Hz). Thus, the Examiner appears to misconstrue the arguments presented by the Applicants.

With respect to the description about the yaw rate, Applicants submit, as previously presented, that when the attitude control of the vehicle body is performed based on the yaw rate sensor, the vehicle body will be delayed (delay in phase) in response due to its larger mass and this shows that the control with a frequency higher than the response frequency of the vehicle body tends to render the control unstable.

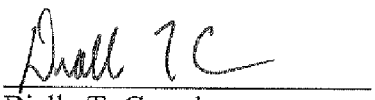
Also the Examiner says that the meaning of "the vehicle body will be delayed" cannot be understood. Applicants clarify that the vehicle body will be delayed in its response based on the factors set forth in the Declaration.

Also, please note that the inherent resonance frequency is not directly related to the constitution of the claimed invention.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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